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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/605,153
	Filing Date	9/11/2003
	First Named Inventor	Fletcher, et al.
	Art Unit	3634
	Examiner Name	Jerry E. Redman
Total Number of Pages in This Submission	Attorney Docket Number	21488/04102

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Warren M. Haines II (Reg. No. 40,632)	Customer Number 24024
Signature		
Date	February 24, 2005	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
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George Ford



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fletcher et al.)	
)	Examiner: Redman, Jerry E.
)	
Serial No.: 10/605,153)	Group: 3634
)	
Filed: Sept. 11, 2003)	
)	
For: ACCESS DOOR)	
)	
Attorney Docket No.: 21488/04102)	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

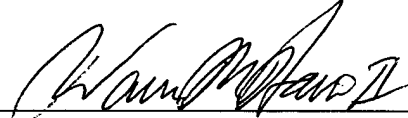
In response to the Restriction Requirement dated January 27, 2005, Applicants elect to pursue in this application claims 1-12, identified as Invention II, with traverse.

The Office Action asserts that Inventions I and II are related as process and apparatus for its practice and that the asserted Inventions are distinct. However, "[t]here are **two** criteria for a proper requirement for a restriction between patentably distinct inventions (A) The inventions must be independent; and (B) **There must be a serious burden on the Examiner if restriction is required.**" MPEP § 803, citations omitted, emphasis added. Thus there are *two* requirements for restriction: independence or distinctness *and* a serious burden. Both are required. Section 803 explicitly states that "[i]f the search and examination of an entire application can be made

without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” Applicants respectfully submit that restriction is not proper in this case because search and examination can be made of the entire application without serious burden. Thus, Applicants respectfully request reconsideration of and withdrawal of the restriction requirement.

Respectfully submitted,

Date: 2/24/05


Warren M. Haines II (Reg. No. 40,632)
Customer No. 24024